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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/775,342	01/31/2001	John T. McDevitt	5119-00523

ERIC B. MEYERTONS
CONLEY, ROSE & TAYON, P.C.
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CONFIRMATION NO. 7210
FORMALITIES LETTER



OC00000006126448

Date Mailed: 05/31/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).


- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$7466.
 - \$6426 for 357 total claims over 20.
 - \$1040 for 13 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 8306.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

Adjustment date: 09/21/2001
09/31/2001 EMBURAKI 00000051 501505 09775342
02 FC:103 18.00 CH
01 FC:101 710.00 CH
02 FC:103 18.00 CH
03 FC:105 130.00 CH



Initial Patent Examination Division (703) 308-1202

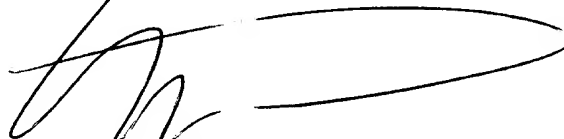
PART 2 - COPY TO BE RETURNED WITH RESPONSE

Figure 1. The effect of the concentration of the *Agrobacterium* suspension on the transformation efficiency of *Agrobacterium* strains. The *Agrobacterium* strains were grown in YEA medium for 24 h at 28°C. The cell concentration of the strains was adjusted to 10⁸ cells/ml. The cell suspension was mixed with the plant tissue and the transformation efficiency was determined. The results are shown as the mean ± SD of three independent experiments. The asterisk indicates a significant difference (*P* < 0.05) between the two strains.

- (7) Preliminary Amendment (2 pages);
- (8) Fee Authorization in the amount of \$1,008.00 to cover the filing fee for a large entity as follows (2 pages):
- \$ 710.00 -- basic filing fee;
 - \$ 18.00 -- surcharge for excess claims;
 - \$ 130.00 -- surcharge for late filing of declaration and fee;
 - \$ 40.00 -- assignment recordation fee;
 - \$ 110.00 -- one month extension of time fee; and
- (9) A return postcard.

Applicant respectfully requests a one month extension of time to respond to the formalities letter mailed May 31, 2001. A fee authorization that includes a fee of \$110.00 for the extension of time fee is included. If any further extension of time is required, Applicant hereby respectfully requests the appropriate extension of time. If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Conley, Rose & Tayon, P.C. Deposit Account Number 505/5119-00523/EBM.

Respectfully submitted,



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Date: 8/28/01

SCANNED, # 2